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BY ECF

The Hon. George B. Daniels
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: FDIC ex rel. Moncho v. Fifth Third Bank, N.A., No. 14-cv-6003-GBD

Joint Request to Adjourn Oral Argument of Motion to Dismiss and Enter Protective Order

Dear Judge Daniels:

We represent relator Lee Moncho ("Relator") in the above-referenced action. With the consent of defendant Fifth Third Bank, N.A. ("Defendant"), we write to request: (i) an adjournment of the oral argument on Defendant's motion to dismiss, presently scheduled for October 13, 2021, and (ii) the Court's entry of the attached Stipulated Confidentiality Agreement and Protective Order (the "Proposed Order").

The parties continue to engage in good faith discussions in an attempt to resolve certain issues relating to Defendant's motion to dismiss. Relator anticipates that these discussions will lead to its filing of a second amended complaint. Because these discussions will involve the sharing of confidential information, the parties have agreed upon, and executed, the Proposed Order.

In light of the above, the parties respectfully request that the Court: (i) adjourn the oral argument on Defendant's motion to dismiss by one hundred twenty (120) days, and (ii) enter the Proposed Order.

Per § II.C of your Individual Rules and Practices, the parties state that this is the fifth request for an adjournment or extension of time made by either party.

Respectfully,

Joshua H. Epstein

Joshua H. Epstein

cc: Michael J. Bronson, Esq. (counsel to Defendant)